IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.272 OF 2005

Javed Ali Ansari. ... Applicant.

Versus.

Champalal P.Jain & anr. ... Respondents.

Shri Niranjan Mundargi for the Applicant.

Ms.M.M.Deshmukh, A.P.P. for the Respondent-State.

Shri Hrushikesh Nikamb for the Respondent No.1.

CORAM : ABHAY S. OKA, J.

DATED : 21st October, 2005.

P.C.:

1. Rule. The learned Advocate for the Respondent No.1 waives service. The learned A.P.P. waives service for the Respondent No.2. By consent taken up for hearing forthwith.

2. The Advocates appearing for the Applicant and the Respondent No.1 have tendered consent minutes of order which are duly signed by them as well as by the Applicant and the Respondent No.1. The Advocates appearing for the parties state that the parties have agreed to compound the offence. The Minutes of Order are taken on record and marked "X" for identification. In view of the agreement which is recorded in the Minutes of the order, the conviction and sentence of the Applicant by the Judgment and order dated 4th November

2004 passed by the learned Metropolitan Magistrate stands quashed and set aside and the Applicant is acquitted of the offence under section 138 of the Negotiable Instruments Act, 1881. The Criminal Appeal No.75 of 2004 pending in the Sessions Court stands disposed of accordingly.

3. The parties to act on an authenticated copy of the order.

Judge.